IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 12558 of 2007(T)

PETITIONER:

DAISY, AGED 56, W/O.VARGHESE,
CHIRIYANKANDATH HOUSE, ARANATTUKARA VILLAGE,
DESOM, THRISSUR TALUK.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

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1. FATHIMA NAGAR, CO-OPERATIVE BANK LTD
NO-R 224, EAST FORT, THRISSUR, REP. BY ITS
BRANCH MANAGER, THRISSUR - 680 005.

2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
BANK (GENERAL), THRISSUR.

3. THE SALE OFFICER, REGISTRAR OF
CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM,
KUTTANELLUR - FATHIMA GROUP, THRISSUR - 3.

4. THE STATE OF KERALA, REP.BY THE
SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF CORPORATION,
THIRUVANANTHAPURAM.

R1 BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR
BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 12558/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : A TRUE COPY OF THE RECEIPT ISSUED TO THE SON OF THE PETITIONER DATED 23.8.2006.

EXT. P2 : A TRUE COPY OF THE PLAINT COPY IN ARC NO. 3833/06 DATED 30.6.2006.

EXT. P3 : A TRUE COPY OF THE COUNTER AFFIDAVIT OF THE FIRST RESPONDENT DATED 18.5.2006 BEFORE THE HON'BLE LOKAYUKTHA, THIRUVANANTHAPURAM.

EXT. P4 : A TRUE COPYOF THE REQUEST SUBMITTED OF THE CHILDREN OF THE PETITIONER DATED 28.12.2006 BEFORE THE FIRST RESPONDENT.

EXT. P5 : TRUE COPY OF THE REPRESENTATION MADE BY THE PETITIONER SEEKING THE BENEFIT OF ONE TIME SETTLEMENT FOR CLEARING THE LIABILITY IN PURSUANCE TO CIRCULAR NO.30/2007 DATED 17.7.2007.

K.M.JOSEPH, J.

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WP.(C) No. 12558 of 2007

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Dated this the 26th day of July, 2007

JUDGMENT

Sons of the petitioner availed loan. It was not repaid. Recovery proceedings were initiated. Petitioner seeks the benefit of one time settlement scheme. She made Ext.P4 request. After the filing of the writ petition, the petitioner has filed Ext.P5, which is a petition claiming the benefit of Circular No.30/2007.

2. Heard learned counsel for the Bank also besides the learned Government Pleader.

The writ petition is disposed of directing the first respondent to consider and take a decision on Ext.P5 in accordance with law and grant such benefits the petitioner is entitled to under Circular No.30/2007. Till a decision is taken and communicated to the petitioner, the proceedings shall be kept in abeyance.

(K.M. JOSEPH, JUDGE)

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